

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:)	<u>IN PROCEEDINGS UNDER CHAPTER 7</u>
)	
DEAN MAYNARD BOLAND,)	CASE NO. 16-10250-jps
)	
Debtor)	U.S. BANKRUPTCY JUDGE
)	JESSICA E. PRICE SMITH
JANE DOE, et al.,)	
)	ADVERSARY PROCEEDING
Plaintiffs)	NUMBER 16-01058
)	
v.)	
)	
DEAN MAYNARD BOLAND,)	
)	
Defendant)	

**ANSWER OF DEFENDANT, DEAN MAYNARD BOLAND,
TO COMPLAINT TO DETERMINE THE DISCHARGEABILITY OF A DEBT**

Now comes the Defendant, Dean Maynard Boland, by and through his counsel, and for his Answer to the Complaint filed herein, states the following:

1. The Defendant admits the allegations contained in paragraphs 1 and 2 of the Complaint.
2. The Defendant admits that the Plaintiffs have timely commenced this Adversary

Proceeding, but specifically denies the remaining allegations contained in paragraph 3 of the

Complaint and demands strict proof thereof.

3. The Defendant admits the allegations contained in paragraphs 4 and 5 of the Complaint.
4. The Defendant denies for want of knowledge sufficient to form a belief as to the truth thereof the allegations contained in paragraphs 6 and 7 of the Complaint and demands strict proof thereof.
5. The Defendant admits the allegations contained in paragraph 8 of the Complaint.
6. The Defendant admits that he is married and has one dependent daughter, but specifically denies each and every other allegation contained in paragraph 9 of the Complaint and demands strict proof thereof.
7. The Defendant specifically denies the allegations contained in paragraphs 10 through 15 of the Complaint and demands strict proof thereof.
8. The Defendant specifically denies the allegations contained in paragraph 16 of the Complaint and demands strict proof thereof.
9. The Defendant admits that he downloaded two (2) images from a stock photo website, but specifically denies each and every other allegation contained in paragraph 17 of the Complaint and demands strict proof thereof.
10. The Defendant admits the allegations contained in paragraphs 18, 19, and 20 of the Complaint and that such were prepared in conjunction with his testimony as an expert witness before the United States District Court for the Northern District of Oklahoma.
11. The Defendant specifically denies the allegations contained in paragraph 21 of the Complaint and demands strict proof thereof.
12. The Defendant admits that he used the pictures as part of his expert testimony in four

Ohio state court criminal cases and in a federal criminal case in Oklahoma, but specifically denies each and every other allegation contained in paragraph 22 of the Complaint and demands strict proof thereof.

13. The Defendant specifically denies the allegations contained in paragraph 23 of the Complaint and demands strict proof thereof.

14. The Defendant admits the allegations contained in paragraph 24 of the Complaint.

15. The Defendant admits that he brought an action in the United States District Court asking the Court to declare whether federal law or Ohio law applied to attorneys representing Defendants in Ohio state child pornography matters, but specifically denies the remaining allegations contained in paragraph 25 of the Complaint.

16. The Defendant specifically denies the allegations contained in paragraph 26 of the Complaint and demands strict proof thereof.

17. The Defendant admits that he agreed with the federal prosecutor to make a public apology in the Cleveland Bar Journal, which proposed apology the Cleveland Bar Journal declined to publish, but specifically denies each and every other allegation contained in paragraph 27 of the Complaint and demands strict proof thereof.

18. The Defendant admits the allegations contained in paragraphs 28, 29, 30, 31, and 32 of the Complaint.

19. The Defendant admits that the Plaintiffs herein appealed the grant of the Defendant's Motion for Summary Judgment and that the United States Court of Appeals for the Sixth Circuit reversed the District Court grant of said Motion, but specifically denies each and every other allegation contained in paragraph 33 of the Complaint and demands strict proof thereof.

20. The Defendant admits the allegations contained in paragraphs 34 and 35 of the Complaint.

21. The Defendant specifically denies each and every allegation incorporated into paragraph 36 of the Complaint not specifically previously admitted herein and demands strict proof thereof.

22. The Defendant admits that the Plaintiffs have correctly quoted a portion of the text of 11 U.S.C. §523(a)(6), but specifically denies each and every allegation contained in paragraph 37 of the Complaint and demands strict proof thereof.

23. The Defendant specifically denies the allegations contained in paragraph 38 of the Complaint and demands strict proof thereof.

24. The Defendant admits the allegations contained in paragraph 39 of the Complaint.

25. The Defendant specifically denies the allegations contained in paragraph 40 of the Complaint and demands strict proof thereof.

26. The Defendant specifically denies the allegations contained in paragraphs 41, 42, 43, and 44 of the Complaint and demands strict proof thereof.

Affirmative Defenses

27. The Defendant hereby reincorporates paragraphs 1 through 26 hereof as if rewritten herein at length.

28. The Plaintiffs have failed to state a claim against the Defendant upon which relief may be granted.

WHEREFORE, the Defendant, Dean Maynard Boland, prays this Honorable Court for the following relief:

1. For an Order dismissing the within Complaint at the cost of the Plaintiffs.

2. For an Order awarding him reasonable attorney's fees and costs in defending this action
in an amount to be determined at trial of this matter.

3. For such other and further relief as this Court may deem just.

/s/ Stephen D. Hobt

STEPHEN D. HOBT
(Ohio Bar Registration No. 0007681)
Attorney for Defendant, Dean M. Boland
55 Public Square, Suite 1055
Cleveland, Ohio 44113-1901
(216) 771-4949
(216) 771-5353 (facsimile)
Email address: shobt@aol.com

SERVICE

I certify that, on May 18, 2016, a true and correct copy of the foregoing Answer was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Sheldon Stein, Esq., on behalf of Plaintiffs, at ssteindocs@gmail.com.
Jonathan E. Rosenbaum, Esq., on behalf of Plaintiffs, at jerosenbaum@windstream.net.

And by regular U.S. mail, postage prepaid, on:

Dean Maynard Boland
1440 Lewis Drive
Lakewood, Ohio 44107

Under penalty of perjury, I declare that the foregoing is true and correct.

/s/ Stephen D. Hobt

Dated: May 18, 2016.

STEPHEN D. HOBT
Attorney for Defendant, Dean M. Boland